

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ILLINOIS, EAST ST. LOUIS DIVISION**

OSBALDO J. NICOLAS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 15 C 0964
)	
NATHAN BERRY; WILLIAM QUALLS;)	Judge J. Phil Gilbert
JUSTIN SNELL; MATTHEW PURDOM;)	Magistrate Judge Wilkerson
ROBERT HUGHES; JASON HART; RICHARD)	
HARRINGTON; KIMBERLY BUTLER; AND)	
AIMEE LANG;)	
)	
Defendants.)	JURY TRIAL DEMANDED

PLAINTIFFS' PRETRIAL DISCLOSURES

NOW COMES Plaintiff, OSBALDO J. NICOLAS, by and through his attorneys,
LOEVY & LOEVY, and pursuant to Federal Rule of Civil Procedure 26(a)(3)(A), hereby makes
the following disclosures:

1. The name and, if not previously provided, the address and telephone number of
each witness—separately identifying those the party expects to present and those it may call if
the need arises pursuant to Federal Rule of Civil Procedure 26(a)(3)(A)(i):

- a. Witnesses the Plaintiff expects to present:
 - i. **Plaintiff Osbaldo Nicolas.** May be reached through his undersigned counsel. Currently housed in the Illinois Department of Corrections under Inmate Number R-72183.
 - ii. **Clayborn Smith.** Currently housed in the Illinois Department of Corrections under Inmate Number B-13485.
 - iii. **Edgar Diaz.** Currently housed in the Illinois Department of Corrections under Inmate Number M-09630.
- b. Witnesses the Plaintiff may call if the need arises:

- i. **Defendant Richard Harrington.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- ii. **Defendant Robert Hughes.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- iii. **Defendant William Qualls.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- iv. **Defendant Justin Snell.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- v. **Defendant Jason Hart.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- vi. **Defendant Matthew Purdom.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- vii. **Defendant Nathan Berry.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- viii. **Defendant Aimee Lang.** May be reached through his counsel, Melissa Jennings, 500 S. Second Street, Springfield, Illinois.
- ix. **Dr. John Trost.** May be reached at Menard Correctional center, 711 Kaskaskia Street, P.O. Box 711, Menard, Illinois.
- x. **Lt. Kevin Reichert.** May be reached at Menard Correctional center, 711 Kaskaskia Street, P.O. Box 711, Menard, Illinois.
- xi. **Rebecca Cowan.** May be reached at Menard Correctional center, 711 Kaskaskia Street, P.O. Box 711, Menard, Illinois.
- xii. **Lt. Kent Brookman.** May be reached at Menard Correctional center, 711 Kaskaskia Street, P.O. Box 711, Menard, Illinois.
- xiii. **Kimberly Butler.** May be reached at Menard Correctional center, 711 Kaskaskia Street, P.O. Box 711, Menard, Illinois.
- xiv. **Yvette Baker.** May be reached at Menard Correctional center, 711 Kaskaskia Street, P.O. Box 711, Menard, Illinois.

2. The designation of those witnesses by whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript of the pertinent parts of the depositions pursuant to Federal Rule of Civil Procedure 26(a)(3)(A)(ii): None.

3. An identification of each document or other exhibit, including summaries of other evidence—separately identifying those items the party expects to offer and those it may offer if the need arises pursuant to Federal Rule of Civil Procedure 26(a)(3)(A)(iii):

a. Exhibits the Plaintiff expects to offer:

- i. Inmate Personal Property Receipt (Bates IDOC 204-205)
- ii. Affidavit of Edgar Diaz (Bates PL 330-331)
- iii. Smith Complaint (Bates IDOC 400-402)
- iv. Plaintiff's Grievances (Bates PL 175-PL 210)

b. Exhibits the Plaintiff may offer:

- i. Plaintiff's Mental Health Records (Bates PL 221-329)
- ii. Disciplinary Tickets (Bates IDOC 46-47)
- iii. Final Summary Report (Bates IDOC 44-45)
- iv. Inmate Injury Report (Bates PL 92-93)
- v. Internal Affairs Investigation File (Bates IDOC 398-410)
- vi. Defendant Snell's Response to Plaintiff's First Set of Interrogatories (for identification only)
- vii. Defendant Quall's Response to Plaintiff's First Set of Interrogatories (for identification only)
- viii. Defendant Purdom's Response to Plaintiff's First Set of Interrogatories (for identification only)
- ix. Defendant Lang's Response to Plaintiff's First Set of Interrogatories (for identification only)

- x. Defendant Hugh's Response to Plaintiff's First Set of Interrogatories (for identification only)
- xi. Defendant Hart's Response To Plaintiff's First Set of Interrogatories (for identification only)
- xii. Defendant Harrington's Response to Plaintiff's First Set of Interrogatories (for identification only)
- xiii. Defendant Berry's Response to Plaintiff's First Set of Interrogatories (for identification only)
- xiv. Defendant Harrington's Deposition Transcript taken in the matter of *Walker v. Atchinson*, Case No. 3:14-CV-429-NJR-DGW (for identification only) (Bates PL 332-468)
- xv. Defendant Harrington's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xvi. Defendant Snell's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xvii. Defendant Quall's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xviii. Defendant Purdom's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xix. Defendant Lang's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xx. Defendant Hughes' Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xxi. Defendant Hart's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)
- xxii. Defendant Berry's Deposition Transcript, *Nicolas v. Berry et al.*, Case No. 15 CV 0964 (for identification only)

Respectfully Submitted,

/s/ Julie M. Goodwin
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I, Julie Goodwin, an attorney, hereby certify that on February 15, 2018, I electronically filed Plaintiff's Pretrial Disclosures with the Clerk of the Court using the CM / ECF filing system, which sends notice to all counsel of record.

/s/ Julie M. Goodwin